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TO: Secretary of State

NO: 5530, APRIL 22, 5 PM

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FROM BEGINNING PRESENT BERLIN CRISIS BRITISH VIEW HAS BEEN THAT ALLIED RIGHT OF ACCESS TO BERLIN IS ABSOLUTE AND MUST BE MAINTAINED. NEVERTHELESS IN THEIR OPINION SUBSTITUTION OF EAST GERMANS FOR RUSSIANS AT CHECK POINTS WILL FACE WEST WITH EXTREMELY DIFFICULT SITUATION WITH RESPECT PUBLIC OPINION. REPEATEDLY FONOFF OFFICIALS AND MEMBERS OF PARLIAMENT IN CONVERSATIONS WITH EMB OFFICERS HAVE EXPRESSED VIEW THAT WHILE PUBLIC WOULD UNDERSTAND AND SUPPORT WESTERN REACTION TO DIRECT INTERFERENCE IN FORM BLOCKADE BY RUSSIANS OR EAST GERMANS THIS ACADEMIC SINCE ACTUAL BLOCKADE UNLIKELY AT THIS TIME. INSTEAD, IN THEIR VIEW, EAST GERMANS WOULD PROBABLY ADHERE CLOSELY TO EXISTING PROCEDURES. IN SUCH CIRCUMSTANCES BRITISH DOUBT PUBLIC WOULD APPRECIATE RATIONALE OF WESTERN REFUSAL TO PERMIT EAST GERMANS TO STAMP DOCUMENTS NOR WOULD PUBLIC FIND IT COMPREHENSIBLE THAT ISSUE OF WHO IS TO STAMP DOCUMENTS COULD BECOME CASUS BELLI.

PRESENT FOREIGN OFFICE REASONING APPEARS TO BE THAT

1) SOVIETS WILL TRANSFER FUNCTIONS TO GDR WITH RESPECT ALLIED TRAFFIC BERLIN AND WEST CANNOT (RPT NOT) PREVENT TRANSFER.

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MAY 1 3 1959

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2) IN ABSENCE ADOPTION BY GDR PERSONNEL OF FORMALITIES PURPORTING TO GO BEYOND EXISTING ARRANGEMENTS IN DEGREE OF "CONTROL" EXERCISED OVER ALLIED TRAFFIC THREE WESTERN POWERS WOULD BE IN EXTREMELY VULNERABLE POSITION WITH OWN PARLIAMENTS AND PUBLIC OPINION IN REFUSING PERMIT GDR PERSONNEL RIGHT OF IDENTIFICATION SUCH TRAFFIC.

3) EVEN THOUGH WEST ACCEPTED STAMPING DOCUMENTS BY GDR OFFICIALS, THIS NOT (REPEAT NOT) INCONSISTENT WITH OR PREJUDICIAL TO WESTERN INSISTENCE ON CONTINUING SOVIET RESPONSIBILITY FOR RIGHTS OF ACCESS ALLIES TO BERLIN.

APART FROM FOREGOING REASONING BRITISH OBVIOUSLY UNWILLING AT PRESENT TIME CLOSE DOOR ON POSSIBILITY ACCEPTING GDR PERSONNEL AT CONTROL POINTS AND SO AVOIDING SHOWDOWN WITH SOVIETS ON THIS ISSUE.

IN EMBASSY'S OPINION LITTLE PROSPECT BRITISH WOULD BE WILLING AGREE PRIOR FOREIGN MINISTERS' MEETING ON US PROPOSALS WITH RESPECT IDENTIFICATION OF VEHICLES AND REJECTION ANY DEALINGS WITH GDR PERSONNEL. THEREFORE AGREE RECOMMENDATION CONTAINED LAST PARAGRAPH REFTEL THAT WE NOT (RPT NOT) PRESS FOR DECISION AT THIS TIME.

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